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*NOT ADMITTED IN VA

March 29, 2011

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

**Re: Notice of *Ex Parte* in WC Docket No. 02-60
Health Information Exchange of Montana**

Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, we hereby provide you with notice of an oral ex parte presentation in connection with the above captioned proceeding. On March 28, 2011, Charles Pearce, Kipman Smith, and undersigned counsel, on behalf of the Health Information Exchange of Montana met with Angela Kronenberg, Legal Advisor to Commissioner Clyburn, and with Trent Harkrader, Division Chief, Attorney Advisors Jamie Susskind, Cindy Spiers, Divya Shenay, and Erica Myers in the Telecommunications Access Policy Division of the Wireline Competition Bureau ("Bureau").

We discussed issues relating to HIEM and other Rural Health Care Pilot Program ("RHCPP") participants' requests for a further extension of time to apply for funding commitments in the RHCPP.¹ Specifically, we discussed that a nine-month extension will enable HIEM to realize the full benefits of its initial RHCPP award.

¹ See *Comment Sought on Indiana Telehealth Network Request for Extension of the June 30, 2011 Deadline for Funding Commitment Requests Under the Rural Health Care Pilot Program*, WC Docket No. 02-60, Public Notice, DA 10-2297 (Wireline Comp. Bur. Dec. 6, 2010) (*ITN Public Notice*); Letter from Kipman Smith, Executive Director, HIEM, to Sharon Gillett, Chief, Wireline Competition Bureau, Federal Communications Commission, WC Docket No. 02-60 (dated Dec. 22, 2010); *Requests for Extension of the June 30, 2011 Deadline for Funding Commitments Under the Universal Service Rural Health Care Pilot Program*, WC Docket No. 02-60, Public Notice, DA 11-172 (Wireline Comp. Bur. Jan. 28, 2011) (consolidating all pending RHCPP extension requests into a single proceeding).

We also discussed issues related to HIEM's request for further RHCPP funding.² Specifically, we discussed the fact that HIEM's original application for funding had sought support for a \$26 million project over five years but that the Commission's RHCPP award funded only the first two years of HIEM's proposed five-year implementation. We discussed progress HIEM is making with the initial RHCPP award and what HIEM will be able to do if the request for additional funding is granted. We also discussed the importance of keeping unused RHCPP funds in the Rural Health Care program and dedicated to supporting health care networks, rather than repurposing such funds outside the Rural Health Program.

We discussed the fact that while the HIEM and the other Montana RHCPP project³ share a common facility, the goals of the two projects are different and complimentary, with HIEM focused on connecting specific health care and health care education facilities in Northwest Montana, and FAhRM focused on linking major state hubs together in the cloud. Finally, we discussed the fact that HIEM's successful fiber deployments to date appear to have resulted in a greater number of competitively priced bids in subsequent deployments. HIEM remains hopeful that its upcoming requests for proposals will see this trend continue.

A copy of our presentation slides is enclosed. If you have any questions or require any additional information, please contact undersigned counsel directly.

Sincerely,



David LaFuria
Jeffrey Mitchell
Counsel for Health Information Exchange of Montana

Enclosure

cc: Angela Kronenberg, Esq.
Jamie Susskind, Esq.
Kerry McDermott
Zac Katz, Esq.

² Public Notice, *Wireline Competition Bureau Seeks Comment on Health Information Exchange of Montana Request For Additional Funding Under The Rural Health Care Pilot Program*, WC Docket No. 02-60, DA 11-95 (rel. Jan. 19, 2011) ("HIEM Public Notice").

³ Frontier Access to Healthcare in Rural Montana ("FAhRM").